

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
PENNSYLVANIA

ALLY LANDAU	:
HJSB, HJSC, and	:
JEWS AT HAVERFORD,	:
	:
Plaintiffs,	: Civil Action No. 2:24-cv-02044 (GAM)
	:
v.	:
	:
THE CORPORATION OF	:
HAVERFORD COLLEGE,	:
	:
Defendant.	:

MEMORANDUM IN SUPPORT OF
PLAINTIFFS' MOTION TO COMPEL DISCOVERY

Plaintiffs have filed this Motion to Compel Discovery because, in clear violation of this Court's Guidelines, Defendant refuses to respond to Plaintiffs' one, very short, document requests.

The Requests are attached hereto as Exhibit A.

This Court's Guidelines direct:

Parties should begin discovery as soon as permitted under the relevant Rules, without waiting for the Rule 16 Conference to be held. Furthermore, parties should not delay commencing discovery due to the pendency of a Motion to Dismiss, except where the motion could result in complete dismissal of the case.

In obedience to this directive, Plaintiffs issued their Document Requests to Defendant on June 3, 2024. When the Requests were issued, no motion to dismiss was pending, and no such motion had been filed even by the date when responses were due, which was July 3.

As of the filing of this Motion, it is also the case that no motion to dismiss is pending.

Defendants' position is simply that they refuse to follow this Court's Guidelines: counsel for Defendants has informed Plaintiffs' counsel that "We do not intend to respond to your discovery requests until it is clear whether any of your claims will survive." See email from Joshua Richards, Esquire, to Jerome M. Marcus, Esquire, attached hereto as Exhibit B.

Defendant's position is clearly inconsistent with this Court's Guidelines.

The Requests issued are tightly focused; they seek only communications from four individuals, all of whom have direct responsibility for the matters at issue in this case; and they seek only communications that deal directly with those issues.

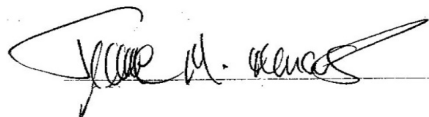
Defendant has not objected to the substance of the requests in any way.

A Certification is attached hereto pursuant to Local Rule 26.1(f).

For the foregoing reasons, Plaintiffs respectfully request that the Court grant their Motion to Compel Discovery, and direct Haverford to produce the requested documents within twenty days.

DATED: September 10, 2024

Respectfully submitted,

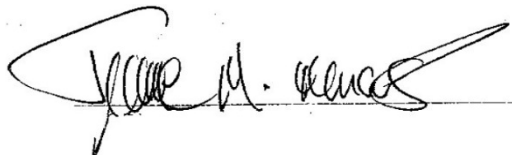
A handwritten signature in black ink, appearing to read "Jerome M. Marcus", written over a horizontal line.

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CERTIFICATION PURSUANT TO LOCAL RULE 26.1(f)

I, Jerome M. Marcus, hereby certify that I am one of the counsel for Plaintiffs in this action and that the parties, after reasonable effort, are unable to resolve the dispute addressed by the instant Motion to Compel discovery.

A handwritten signature in black ink, appearing to read "Jerome M. Marcus", written over a horizontal line.

Jerome M. Marcus